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8 Attorneys for Ryan W. Payne

9 UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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12 UNITED STATES OF AMERICA,)
)
13 Plaintiff,)
)
14 vs.)
)
15 RYAN W. PAYNE,)
)
16 Defendant.)
)

2:16-cr-046-GMN-PAL

DEFENDANT RYAN W. PAYNE'S
EMERGENCY MOTION TO STAY
TRANSPORT TO OREGON PENDING
ADJUDICATION OF MOTION TO
DISMISS (ECF 291)

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18 **Certification:** This Motion is timely filed.

19 Defendant RYAN W. PAYNE, through his counsel, SHARI L. KAUFMAN, WILLIAM
20 CARRICO and RYAN NORWOOD, Assistant Federal Public Defenders, respectfully submits this
21 motion on an emergency basis requesting that the Court stay Mr. Payne's transport and return to
22 the District of Oregon until the parties have fully briefed, and this Court has adjudicated, Mr.
23 Payne's pending motion to dismiss, *see* ECF #291, attached as Exhibit A. Mr. Payne filed his
24 motion to dismiss with this Court on April 20, 2016. It is anticipated this Court will, in accordance

1 with the writ of habeas corpus ad prosequendum issued March 2, 2016, order Mr. Payne to be
2 returned to the District of Oregon proceedings in *United States v. Payne*, D. Or., Case No. 3:16-
3 cr-00051-BR-4, where he has been ordered detained. *See* ECF 50. However, in light of the
4 important constitutional issues and discovery requests set forth in Mr. Payne's motion to dismiss,
5 undersigned counsel request that Mr. Payne remain in the District of Nevada until these matters
6 are resolved.

7 DATED this 21st day of April, 2016.

8 RENE VALLADARES
Federal Public Defender

9 By: /s/ Shari L. Kaufman
10 SHARI L. KAUFMAN
Assistant Federal Public Defender

11 By: /s/ William Carrico
12 WILLIAM CARRICO
Assistant Federal Public Defender

13 By: /s/ Ryan Norwood
14 RYAN NORWOOD
Assistant Federal Public Defender
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CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that she is an employee of the Federal Public Defender for the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

That on April 21, 2016, she served an electronic copy of the above and foregoing **DEFENDANT RYAN W. PAYNE'S EMERGENCY MOTION TO STAY TRANSPORT TO OREGON PENDING ADJUDICATION OF MOTION TO DISMISS (ECF 291)** by electronic service (ECF) to the person named below:

DANIEL G. BOGDEN
United States Attorney
ERIN M. CREEGAN
Assistant United States Attorney
NADIA JANJUA AHMEN
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/s/ Karen Meyer
Employee of the Federal Public Defender